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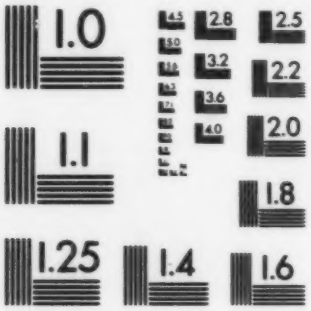

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British Columbia Ports Policy

Discussion Paper

Ministry of Transportation and Highways

August 1980

90-00017/

Foreword

This paper has been prepared by staff of the British Columbia Ministry of Transportation and Highways to be used in a public consultation process designed to lead to the development of a British Columbia Ports Policy. It draws on earlier ports policy proposals as well as on recommendations in recent studies. The paper describes the policy elements which may be considered significant in the development of an efficient and responsive ports system for British Columbia and Western Canada. The purpose of the paper is to stimulate discussion and to solicit the views of the industry, including shippers, port operators, local municipalities and any other groups or individuals who are affected by or have an interest in port development and operation. It does not represent government policy.

Copies of the paper along with a related study "Ports Policy in British Columbia" are being circulated to the major ports and organizations with an interest in ports, as well as to various federal and provincial departments. Copies of the study may be viewed at each Transportation and Highways Regional Office and at Regional Development Liaison Offices. As well, copies may be obtained from Crown Publications, 546 Yates Street, Victoria, B.C. V8W 1K8 (386-4636). Additional copies of this paper may be obtained from the Ministry of Transportation and Highways, 940 Blanshard Street, Victoria, B.C. V8W 3E6 (387-5996).

I invite your response and encourage your input to the paper. Your views on the points presented, together with other additional issues or factors that you may wish to raise, will provide a valuable contribution to the development of the policy. It is intended to have a draft provincial ports policy available later in the year.

The Honourable Neil Vant
Minister

I

Summary

(A) The Need for a Policy

A British Columbia Ports Policy is required to:

- enable the Province to make an independent assessment of its port needs and to establish port related priorities with a focus on provincial interests and concerns;
- ensure that the Province participates effectively with the other Western Provinces, the Government of Canada and port authorities in decisions affecting major ports in British Columbia, particularly with respect to planning, investment and major administrative decision making.

The following are areas of primary concern:

- Major infrastructure projects. These include new container handling facilities proposed for the Lower Mainland.
- New initiatives and major studies.
- Port planning and administration. It is necessary that British Columbia has a clear and consistent role in planning and administration of ports in the Province in order to respond to existing as well as new legislation in all jurisdictions. British Columbia also supports the concept of greater local and regional autonomy, even where legislative or other changes may be required.
- Coastal Transportation Services. In the areas of the Province served by coastal marine and ferry services, policies are needed for the provision of port and terminal facilities to meet the needs of private carriers as well as agencies of the Crown.

- Overall transportation policy for British Columbia. The policy on ports forms an important component of a comprehensive integrated provincial transportation policy.

(B) Objective of a Ports Policy

The primary objective of a British Columbia Ports Policy is to ensure that the Province's ports are developed, administered and operated to support to the fullest extent possible, the economic and social objectives of British Columbia, while at the same time serving the broader regional and national interests.

(C) Elements of a Ports Policy

- Port planning and development, where ports are a federal responsibility, should be carried out in full consideration of, and coordination with, the Province.

- The management of ports, including those of national interest, should be delegated to the lowest feasible level and reflect the greatest possible autonomy.

- Consideration should be given to transferring administration of waterlots to local port authorities.

- Provincial enabling legislation for local port authorities should be considered and coordinated with legislative efforts related to airports.

- The Province should be allowed to appoint some of the members of federal port administrative bodies within British Columbia.

- Alternative funding for ports should include the possibility of financial involvement by the Province where the development of facilities supports specific provincial opportunities or priorities, or is needed as a catalyst. In such cases, British Columbia should, as a condition of its involvement, ensure that provincial funds are invested to the maximum benefit of the Province.

II

Background

(A) Present Port Structures

Ports in British Columbia are divided into the following categories according to the Act that defines their management structure:

- Local Port Corporations: administered under the Canada Ports Corporation Act and often described as being ports of true national significance. The ports of Vancouver and Prince Rupert are the only Local Port Corporations in B.C. Ports Canada is currently examining several ports across the country with a view to bringing more of them under their control.

- Commission Harbours: administered under the Harbour Commissions Act (1964). In B.C., Harbour Commissions exist in the Lower Mainland (North Fraser and Fraser River), Nanaimo and Port Alberni. Only the Fraser River Harbour Commission handles traffic originating from or destined for other provinces.

- Public Harbours and Port Facilities. 104 locations are administered by the Canadian Coast Guard under the Public Harbours and Port Facilities Act. Most serve a very small local hinterland.

- Fishing and Recreational Harbours. 130 are managed by the Department of Fisheries and Oceans under the Fishing and Recreational Harbours Act. All serve local communities. The Department is currently negotiating with several municipalities in B.C. to have them create "Local Harbour Authorities" which would take over the administration of Departmental facilities.

- Private recreational harbours or facilities.

- Private single purpose industrial marine facilities.

- Private or Crown Corporation ferry and barge facilities.

Efforts to clarify the federal ports' legislative complexity have been under study by the federal government for many of the last twenty years. The major revisions to ports legislation in 1982 brought all ports administered by Transport Canada, or reporting through the Minister of Transport under a single set of objectives, introduced improvements to long term planning for ports and increased local input and autonomy at some of the larger ports.

(B) British Columbia Involvement in Port Development

British Columbia has been active in encouraging the development of port infrastructure in the province. The original development of Roberts Bank is a prime example of this activity. British Columbia concerns and initiatives, including consideration of going ahead with construction independently of the federal government, placed heavy pressure on Canada and a federal commitment was finally made to develop the terminal.

In 1972, British Columbia conveyed to Canada the property required to make Prince Rupert a national harbour. Since then, the National Harbours Board (now the Canada Ports Corporation), constructed or arranged for the construction of a forest products terminal, a coal terminal and a grain terminal, while the Province upgraded road access to Ridley Island.

Provincial Crown Corporations have, at various times, held or consolidated land for port development at a number of sites. The Province still has significant port related landholdings at Prince Rupert, Nanaimo, and Roberts Bank.

The Ministry of Transportation and Highways has assisted in port development through the provision of port access facilities. The nature and extent of this assistance has rarely, if ever, been reckoned and properly evaluated.

British Columbia Ferry Corporation continues to provide ferry services to Vancouver Island and many other coastal communities, and British Columbia Stena Line operates a service between Victoria and Seattle. Most of the ferry docks and facilities have been funded by British Columbia.

III

Provincial Interest

Ports generate significant employment and are a crucial component of economic activity within the Province. The Port of Vancouver, for example, has recently estimated the economic impact of the port to be $1.914 billion annually and 18,875 direct or indirect jobs. Similar estimates prepared for the Fraser River Harbour Commission indicate a $5.0 billion economic impact and 33,000 people employed; and for Prince Rupert, $637 million economic impact and 4,221 people employed.

In the Port of Vancouver, container traffic generates about 500 jobs for longshoremen alone, yet nearly 45% of Canada's Pacific container trade is currently arriving in U.S. ports. There is also considerable controversy related to competition between Lower Mainland ports - to the extent that some people believe that such competition may prevent the Lower Mainland from becoming a major container port.

Federal jurisdiction for ports is based in large part on "***the national interest***" in international trade, and on "***protection of the interests of inland provinces***". In B.C. only six harbours were considered to meet these criteria strongly enough to warrant formal transfer of provincial lands to the federal government in an early effort (1926) to resolve constitutional ambiguities surrounding federal jurisdiction as outlined in the Constitution Act. This statute also provided in principle for provincial responsibility for "***works of a purely local nature***". With minor exceptions, the majority of port facilities now administered federally are situated on Provincial Crown Land reserved for

federal use or which has been transferred to federal control. About 210 of the 246 B.C. locations with federal port facilities provide them for purely local use and benefit. The Canadian Coast Guard, which administers about 104 port facilities in British Columbia, has recently classified the majority of them (86) as "***social obligation ports***", that is, not a component of any sort of national transportation system. Even the federal ports policy recognizes the importance of local and regional concerns, stating as the second objective of a national ports policy that "***...(the ports system) must serve local and regional objectives...***".

Recent federal direction in the management of transportation infrastructure has been one of increasing desire to delegate, transfer or devolve ownership and/or operation to some form of local administration. This has occurred or is occurring with complete sites, such as major international airports, down to small wharf/float operations supporting fishing or recreational users. As well, Transport Canada has initiated discussions with several municipalities to take over both ownership and operation of small airports that do not serve a broader national interest. The trend is across departments, encompassing Fisheries and Oceans as well as Transport Canada, and Crown Corporations such as the Canada Ports Corporation. There has been, however, no significant move in this direction in the Harbours and Ports Directorate of the Canadian Coast Guard. The trend is consistent with recent direction within the British Columbia government as well, although the approach taken in B.C. has significant differences.

In spite of federal efforts over the past ten years to simplify port administration, the result has actually been to increase the number of types of port management. In the Lower Mainland alone, there is a major Fisheries and Oceans operation, two Harbour Commissions and a Local Port Corporation, two major ferry terminals, along with several private facilities. The 1982 federal ports legislation was supposed to enable easy transfer of

ports from one type of administration to another where such a transfer would lead to more effective management, but this provision has never been used. Similarly, passage of the Harbour Commissions Act in 1964 led to the immediate creation of Commissions at Nanaimo and Port Alberni, but no new Commissions have been created in the last 25 years, in spite of requests and efforts by Victoria, Kitimat and others at different times.

While these efforts to improve management and to delegate responsibility to ports were taking place, federal central agencies have sought greater control over the more autonomous port administrations in order to demonstrate greater accountability within government. These conflicting efforts have largely neutralized each other.

Recent development proposals such as the Delta Port, new container capacity for the Lower Mainland, and long term problems, such as the New Westminster Rail Bridge have not been fully addressed under the current multiplicity of jurisdictions.

Finally, it is increasingly apparent that port development of all types is dependent on or enhanced by the activities or expenditures of others - for upgraded road or rail access, industrial park development, additional power or other non-transportation infrastructure for example. This is occurring at a time when there is mounting pressure on port administrators to provide more public access to the waterfront and greater development diversification (housing and hotels for example). These pressures can complicate and slow down the planning process and the implementation of port improvements.

With the Province's recent efforts to undertake truly comprehensive, coordinated transportation planning, it has become opportune to review and perhaps redefine provincial objectives, expectations and roles with regard to ports in B.C.

IV Objectives

The primary objective of a British Columbia Ports Policy is to ensure that its ports are developed, administered and operated to support to the fullest extent possible, the economic and social objectives of British Columbia, while at the same time serving the broader regional and national interests.

Development of ports to serve this objective must take into account:

- the location of port facilities to minimize total transportation costs;
- efficiency in port design and interface with the road and rail links;
- sufficient infrastructure to ensure that capacity constraints do not occur;
- timely application of new technology in order to maximize efficiency.

British Columbia should be concerned that ports are administered and operated to ensure that orderly planning and timely development of the ports take place within the context of the overall transportation system, and to ensure that mechanisms for decision making are in place to provide a reasonable balance between centralized planning and local operating autonomy.

British Columbia recognizes the broad range of effects that ports have on the communities where they are located. Both the beneficial direct economic effects such as employment generated, and any potential negative effects such as diversion of traffic to or from the port must be fully taken into account when making port investment decisions.

V Elements

(A) British Columbia Participation in Port Planning and Development

The following represents a series of ideas and options that could be considered during the development of a ports policy for the Province. It does not represent a specific proposal of the B.C. government. After consultations and input with affected parties, an official ports policy will be drafted for consideration by the British Columbia Cabinet.

It is important that the Province be a significant participant in the planning and development of ports. There are two basic reasons for this requirement:

- Ports have a broad range of impact on matters under provincial jurisdiction, including social and economic effects on the region, municipalities and the connecting transportation links;
- Traffic at the vast majority of British Columbia ports serves purely local needs.

Presently there is no formal mechanism for meaningful provincial participation in the development and operation of ports in the Province. Provincial participation usually occurs on an ad hoc basis, often as a reaction to a specific problem or a federal initiative. However, significant improvements have been made in this area recently. For example, the Province has been asked to serve on the steering committee of a major ports planning study being undertaken by Transport Canada.

The Western Regional Advisory Council provides a forum under the Canada Ports Act for input to the federal Minister on matters related to the six major ports. This does not fully meet the Province's needs, mainly because the Council is only advisory and deals with issues primarily related to the six major ports.

There is also an argument for provincially nominated members to each of the major local port management bodies, in addition to the members named by the municipalities or the federal government. Such provincial nominations to the local port management would ensure that all three levels of government with an interest in the port participate in its development and operation. Notwithstanding this desire, it is British Columbia's view that the prime responsibility of all members of the port administrations, regardless of the source of nomination, is the well-being of the port.

(B) Local Administration

Increased local decision making and autonomy vested in the ports would be consistent with other current provincial efforts to decentralize and privatize traditional government work. This autonomy should include the following:

- significant local capital spending authority;
- authority to raise capital;
- authority to retain earnings for reinvestment;
- marketing of ports;
- corporate planning.

Any necessary central system planning and control could be exercised through the review and approval of capital and operating plans with provision for periodic performance evaluation to ensure accountability in port administration. It would be necessary to consider national policies and objectives in this process.

(C) Canada Ports Corporation Sites

Factors such as the additional financial and other freedoms permitted in the Harbour Commissions Act (such as no effective capital expenditure limit, no requirement to support a headquarters operation by annual levy (about $2 million in 1987), and no requirement to lend temporarily surplus funds to headquarters and other ports (about $7 million in 1987); the smaller number of Commissioners; and the increased local input to the selection of Commissioners, suggest to many people that administration by Commission may be a better choice for British Columbia. The major drawback to this is that Harbour Commissions do not pay grants-in-lieu of taxes (the ports of Vancouver and Prince Rupert paid about $5.5 million in 1987), although Commission tenants are required to pay property taxes directly. Additional study on the real impact of this issue is probably needed, but the option should not be immediately discarded from further consideration for this reason alone.

(D) Finance

In the development of a comprehensive transportation policy for the Province a great deal of attention is being paid to the question of government financial involvement in the provision of infrastructure. As a basic principle, initiatives within the private sector should be the primary motivating force for development.

The meshing of private objectives with public concerns can best take place in an atmosphere of clear statements of government policy and precise regulations setting the framework for such things as land use, pricing, and for the decision making process itself. Given the right climate of minimum uncertainty, private enterprise will often respond to demand by providing the necessary port facilities.

Government support may be necessary in the provision of infrastructure and services in some cases. Aids to navigation, dredging and breakwaters, and the provision of utilities are examples of services that can reasonably be expected to be offered by the appropriate governments. Governments may also provide multi-user terminals in order to capture significant economies of scale. Government involvement may also be required where peak capacity or alternate facilities are required to minimize the risk of serious disruption in the port functions.

As a general policy, the major ports should be financially self-sufficient. Public funds invested in facilities, along with operational expenditures, should be recovered from users over an appropriate period of time. In the past this may have been the case with some of the direct federal expenditures. Insofar as it is possible to calculate the provincial and municipal costs, these costs should also be taken into account in developing the pricing for use of facilities and services.

The present system of grants-in-lieu of taxes paid to municipalities needs to be examined to ensure that all the commercial activities in a port are contributing a fair share on a common basis to the operating costs of the host municipalities.

(E) Competition and Marketing

On the whole, Canadian ports have not been marketed on the same aggressive basis as those in the United States and other countries, and may therefore have lost business opportunities. The move toward a greater degree of local autonomy should be with explicit recognition that British Columbia ports both individually and jointly may need to be marketed more aggressively, with a significant thrust toward competitiveness with United States ports.

An important part of port policy is the encouragement and facilitation of competition among ports, on the premise that a certain amount of competition leads to a healthy incentive to improve services, provided always that such competition does not result in wasteful duplication or over-capitalization.

(F) Land Management

A major function of a local port authority is the management of public land within the port boundaries and the control it exercises over private land by virtue of its powers under enabling legislation. Land management can be effectively carried out under a mixture of privately and publicly owned foreshore and backup land and publicly owned seabed. Appropriate planning by-laws and regulations governing the use of privately held land, and the seabed, should be sufficient to ensure effective development of the port's land resources.

When expansion of the port includes seabed under provincial ownership, British Columbia should make the waterlots available on terms and conditions that maximize the benefits to the port. Consideration should also be given to providing administrative authority for provincial waterlots to local port authorities in order to enhance their effectiveness.

The property owned by the Province at Roberts Bank should be retained until a detailed port plan is prepared for the Lower Mainland identifying future port and related backup needs.

(G) Legislation

Current legislation dealing with the administration of ports is entirely federal, and provides the Province virtually no role in planning or administration. In order to significantly change this situation, it may be necessary for the Province

to consider introducing enabling legislation. Such legislation should address both airports and seaports, since there may well be a need to introduce enabling legislation to properly handle proposed airport authorities.

The provincial Municipal Act does provide for municipal operation of both port and airport facilities and as well allows for a municipality to contribute to the operation of such facilities in another municipality. This legislation does not contemplate any sort of independent authority, but rather direct operation by a municipality. It has a number of other constraints that effectively render it inadequate for most B.C. ports.

An option that would be both consistent with the thrust of this paper and other current efforts of the Province would be the creation of an independent body to take over and operate all ports with a purely local focus, with the ultimate objective to transfer ownership of facilities and operation of the port to either local municipalities or to new bodies created to own and operate the port in the public interest, but generally with a commercial focus.

Under such a scenario, the federal and provincial governments could continue to provide funding to such bodies in order to meet federal or provincial transportation, economic development or other program objectives. While this is not done for ports, such a system does exist, and functions well, within Transport Canada and the Province for small airports operated by municipalities or airport societies. As an alternative, joint federal and provincial objectives could be met by jointly committing funding in a series of five year transportation infrastructure agreements (similar in many respects to transportation sub-agreements under Economic and Regional Development Agreements (ERDAs) between the federal and provincial governments).

(H) Implications

More direct provincial involvement in ports could, among other impacts, lead to:

- the need for new legislation
- the development of a Marine Transportation Assistance Program similar to the Air Transport Assistance Program
- the creation of one or more local port authorities, or the introduction of more municipally operated ports
- greater demands on provincial politicians, funds and other provincial resources
- resistance by some organizations which prefer the status quo or other administrative alternatives

VI

Other Recommendations

In the past year, two studies have been done for the Ministry of Transportation and Highways which have made specific recommendations regarding British Columbia's potential role in ports. The first was **Volume 16** of the 18 Volume **Transportation Overview for the Province of British Columbia**, produced by Delcan; the second was **Ports Policy in British Columbia**, produced by Transmode Consultants Inc. A third study, entitled **Harbour Authorities and Local Government Administration of Submerged Crown Lands**, was prepared by The DPA Group Inc. for the Ministry of Crown Lands. All three sets of recommendations are presented here to facilitate discussion only - they are the opinion of the authors of the reports and do not necessarily represent either current or proposed provincial policy.

Delcan Recommendations

1. British Columbia should assure itself that the harbours in the Province are continuously kept in a position where they can effectively support the functioning of the Province's industrial and resource sectors. The responsibility for pursuing this objective should be given to the Strategic Transportation Planning Committee (of the Ministry of Transportation and Highways).

2. The Province should define and state the reasons for its interest in the ports sector of British Columbia.

3. An inventory of provincially owned waterlots and other port adjacent properties should be prepared and kept current and be available to the Strategic

Transportation Planning Committee. This will assist not only in the transport planning process but also in the optimization of the use of these properties.

4. British Columbia should define its role in the ports sector. The policy recommended is one of cooperating with the several port administrations in the Province and of facilitating cooperation between them. To this end, the Ministry should influence the federal government to bring about more cooperation among the four port administration types.

5. The Strategic Transportation Planning Committee should seek to establish closer links with the Coast Guard's Regional Management of Harbours and Ports and with the Regional Small Craft Harbours Branch of the Department of Fisheries and Oceans.

6. If the Province should wish to go beyond the cooperative role recommended in this (Delcan) document, it should clearly define the criteria for such action. It is suggested that any "participatory" role should be confined to the Gateway ports of Prince Rupert and Vancouver.

7. The government of British Columbia should pursue a policy objective of reducing the multiplicity of federal port administration types. As a first step, it

should seek to achieve the coordination of investment plans between the Vancouver Port Corporation and the Fraser River Harbour Commission.

8. The Province should lend its support to any efforts which will bring the autonomy of the ports of Vancouver and Prince Rupert to the same status as that enjoyed by the four Harbour Commissions in British Columbia.

9. British Columbia should, as a matter of urgency, request the appropriate federal authorities to delay any commitments by the Vancouver Port Corporation for the expansion of the container terminals in Burrard Inlet, and offer to participate in a joint study to identify the optimum location for container port expansion in the Lower Mainland.

10. The Province should develop a program of supporting the marketing efforts of British Columbia ports abroad. To this end, provincial representatives overseas should be enlisted for assisting in such a program.

Transmode Consultants Recommendations

1. Ports should be a strong, explicit and visible element of British Columbia's transportation policy and economic development programs.

2. The Province's approach to ports policy should recognize that ports affect communities and industry of all sorts. Interest in ports should not focus unduly on Vancouver, Prince Rupert and the other primary ports.

3. British Columbia should develop strong in-house capability to:

- assess performance of port administrations
- assess port development proposals
- bring a provincial perspective to the port planning process
- ensure that British Columbia ports and harbours receive adequate funding from the federal government
- ensure that port authorities take an aggressive approach to market development.

4. The Province should be prepared to sponsor work on shipping and ports policy outside of government, at a level of intensity which creates a body of knowledge and a source of independent advice on marine issues.

5. The Province should establish a strong focal point for marine policy issues including ports policy, by designating the Ministry of Transportation and Highways as coordinator of the Province's interests in this area.

6. British Columbia should press individual port authorities for active consultation on port planning and port development. This should be a two-way street, with the Province consulting regularly with port authorities on provincial initiatives which might affect port development or port operations. If port authorities do not offer an opportunity for meaningful consultation and joint planning, the Province should pursue this issue with the federal government.

7. British Columbia should continue to support the Western Regional Advisory Council and should play an active role in establishing the Council's agenda and addressing issues which are brought before the Council.

8. For selected harbours, the Province should determine the level of community support of local harbour management and help municipalities assess the merit and feasibility of Harbour Commission status or other form of local autonomy. Where a new port administration is shown to be feasible and beneficial, the Province should make representations to the federal government in cooperation with the local community.

9. The new airport authority for Vancouver International Airport may provide a model and precedent for a new approach to port administration. As work progresses on the airport authority, the

Province should assess its suitability for ports. If this does not prove to be an attractive option, British Columbia should pursue Harbour Commission status for Vancouver and Prince Rupert and work closely with municipalities and other local interests in seeking reclassification.

10. British Columbia should make representations to the federal government, seeking an opportunity to appoint at least one member to each board or commission which is overseeing British Columbia ports.

11. The Province should proceed with plans to sell the remaining parcels of the Duke Point development (at Nanaimo).

12. The Province should assess the strategic value of its property at Kaien Island (Prince Rupert) and consider the merits of continuing to hold the property.

13. The Province should conduct an in-depth assessment of possible port development scenarios at Roberts Bank and determine what portion of the provincially-owned back-up land might be needed to support those scenarios. It should also establish what areas of the Roberts Bank land might be needed to meet other provincial objectives, and consider disposing of any surplus area.

14. The Province should ensure that lands leased to port authorities are managed and maintained in the best long term interests of the Province.

15. The provincial ports policy should include the following principles and objectives:

- ports are an important part of British Columbia's transportation system and a key to its future prosperity;
- British Columbia needs first class ports, developed in a timely manner, to provide efficient, high-standard service at the lowest possible cost;
- other provinces rely on British Columbia's ports. British Columbia will work closely with those provinces in order to have a full understanding of their needs;
- the Province owns most of the water-covered land in ports and harbours. Those lands must be managed in the best long-term interest of British Columbia;
- ports and harbours of all sizes are important to British Columbia and its communities. The Province will work to ensure that port authorities respond to the needs of British Columbia communities and have sufficient resources to meet those needs;
- ports must be integrated with the Province's overall transportation system. To accomplish this, there must be joint and cooperative planning between port authorities and the Province;

- to plan on a cooperative basis, both parties must have an understanding of each others' plans and priorities. With this in mind, the Province will be seeking an opportunity to appoint at least one person to every Board and Commission which is overseeing a port in British Columbia;

- the federal government has recognized the importance of local decision-making for port development and port operations. Additional steps should be taken in that direction;

- British Columbia will be seeking greater local autonomy for the ports of Vancouver and Prince Rupert, at least equal to the level of authority which is now carried by Harbour Commissions;

- The Province will work with communities to assess the possibility of bringing local management to other harbours in the Province;

- British Columbia attaches high priority to resolving port access problems and expects the federal government to participate in efforts to improve access and protect communities from the effects of increased traffic.

The DPA Group Recommendations

1. The province should support the federal Department of Fisheries and Oceans Harbour Authority Program by:

- ❑ negotiating a Memorandum of Understanding with Fisheries and Oceans;
- ❑ developing conditions to include in future Transfers of Administration and Control for Small Craft Harbours which negotiate Harbour Authority Agreements;
- ❑ providing negotiating advice and assistance to municipalities interested in signing Harbour Authority Agreements;
- ❑ transferring administration and control of submerged Crown Lands to Fisheries and Oceans when Harbour Authority Agreements are signed;
- ❑ sponsoring harbour planning studies for Authorities who wish to clarify their development goals and policies.

2. The Province should promote harbour development by:

- establishing a provincial harbour development program;
- funding planning studies;
- devolving administration of submerged Crown lands to eligible local governments, with eligibility based on:
  - municipal status
  - area to be administered being only in developed or urbanized parts of the municipality
  - legally enforceable plans and zoning by-laws being in place
  - evidence that the municipality has enough experience to assume the Crown's role to administer revenues and manage land use;
- promoting the implementation of plans through existing federal and provincial funding programs.